SYLLABUS

Topics in Sports Law

255.6

Spring 2012

Professor Eisenhardt

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| **Class** | **Date** | **Assignment** |
| Class 1 | Jan 12 | Chap. 1-- pp. 1-21 & Chap. 6 pp. 397-406 |
| Class 2 | Jan 19 | Chap. 6-- pp. 406-421. Please also read *Sims Snowboard v. Kelly,* uploaded to bSpace, as well as Cal. Civ. Code sec. 3423). *Sims* is in the “Cases” folder, and CC 3423 is in the “Statutes” folder. I also recommend reading *Machen v. Johanssen*., *Lumley v. Wagner* and the later Ohio decision in Lajoie. These cases have been uploaded to bSpace are in bSpace into the folder entitled “Cases.” These are optional but interesting reading. The *Shaw* case, summarized on p. 416, can be read in full on p. 559. |
| Class 3 | Jan 26 | Chap. 6-- pp. 421-436; Chap. 3—pp. 235-253. Chap. 6 is an introduction of the application of the Antitrust laws to professional sports. Chapter 3, pp. 235-253 deals with the parallel question of antitrust application to college sports. |
| Class 4 | Feb 2 | Chap. 7-- pp. 483-517. This reading delves into federal labor law and its application to sports. I have uploaded the current CBA’s of the WNBA, NBA, NFL, NHL, and MLB in bSpace for convenient reference. The material in the book is out of date due to the recent new CBA’s for MLS, NBA and NFL. |
| Class 5 | Feb 9 | Chap. 7-- pp. 537-547; 564-583. |
| Class 6 | Feb 16 | Chap. 6—pp. 436-480. This assignment is for this class and the next. There is no logical break in the reading; however, if we will probably cover up through about p. 466 in the first class. Now that you have an understanding of both antitrust and labor law, this reading addresses the important intersection between labor law and antitrust law. This conflict between the two policies was demonstrated in the recent NFL and NBA lockouts. I have uploaded to bSpace the complaints filed in the litigation that pertains to the recent lockouts. I suggest you skim them as supplemental reading to observe how the appellate case law translates into tactical use of antitrust and labor law in negotiation of the collective bargaining agreements. |
| Class 7 | Feb 23 | pp. 436-480, continued. |
| Class 8 | Mar 1 | Chap. 12--pp. 903-931 |
| Class 9 | Mar 8 | Chap. 12--971-990; 1006-1013 & Note 1. Review the complaint filed by retired NFL players (*Finn v. NFL*—bSpace) regarding liability for head injuries and use of pain medication. |
| Class 10 | Mar 15 | Chap. 13--pp. 1023-1043. A portion of this class will feature a team physician on Legal Issues in Sports Medicine. This will reinforce some of the material in Chapter 12. |
| Class 11 | Mar 22 | Chap. 13--pp. 1043-1086. In addition to this reading, I suggest you review the complaint in *Barnett v. NFL* (bSpace) regarding use of images of retired players. The second hour will include a guest speaker on equal treatment of women sportswriters, and counseling the modern athlete on press relations. Please read *Ludtke v. Kuhn* for a case dealing with this issue. (bSpace) |
| Class 12 | Apr 5 | Chap. 8-- pp. 609-625 |
| Class 13 | Apr 12 | Chap. 8-- pp. 652-664. This reading features the 7th Cir. opinion in *American Needle*. The later Supreme Court opinion in *American Needle,* which was decided after this book was published, is in bSpace*.* Included as well is the Solicitor General brief, as optional reading. Both may be found on bSpace. |
| Class 14 | Apr 19 | Chap. 10-- pp. 765-770; 780-822 |

There will be a final review session on a date we will agree upon in Class.

We may make slight adjustments in the readings and topics during the semester in response to current legal events which may occur and be worthy of discussion in class. Due to the wide breadth of subject matter of the course, and the importance of effective class discussion, we may not be able to discuss in class every case assigned for reading.